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Date: September 17, 2008

/Barbara MacDougall/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Roberts, Larry LeMaitre)	Examiner: Le, Khanh H.
Serial No.:	10/620,219)	TC/A.U. 3688
Filed:	07/14/2003)	Confirmation No: 8721
Title:	Method of Capturing Customer Transaction Data by Routine Declining of Authorization Request)	Customer No: 61894
)	Docket No: 00920.P2US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed March 18, 2008, applicant respectfully requests that the following amendment and response be entered in the file:

CONTENTS

- I. Introductory Comments** begin on page 2 of this paper.
- II. Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.
- III. Amendments to the Drawings** begin on page 5 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.
- IV. Remarks/Arguments** begin on page 6 of this paper.

I. INTRODUCTORY COMMENTS

The Examiner has indicated that claims 1 - 20 are pending in the application; that corrected drawings are required; that claims 1-20 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 11/378,119; that claims 1-9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; that claims 1-4, 6-11, 13-20 are rejected under 35 U.S.C. 103(a) as unpatentable over Dorf et al. (US 6,000,608) in view of Graves (US 6,575,361); and that claims 5 and 12 are rejected under 35 U.S.C. 103(a) as unpatentable over Dorf in view of Graves as applied to claims 4 and 9 above, and further in view of Burke (US 5,621,640).

In response to, and in accordance with, the Examiner's indications, Applicant, by this Amendment, has canceled claims 3, 6, and 9-19, amended claims 1-2, 4-5, 7-8, and 20, and has submitted new drawings in accordance with the Examiner's objections.